

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 V.) CRIMINAL NO. 03-10387-DPW
)
EARL CHARLEY, JR.)

ASSENTED-TO MOTION TO EXTEND TIME

The United States, with the assent of the defendant, moves to extend the time by which it must respond to his Motion To Suppress up to and including July 7, 2004. In support of its motion, the government says the following:

1. The undersigned Assistant U.S. Attorney has been, and is now, in the midst of preparing and responding to a large number of motions due in a large RICO case (U.S. v. Paul A. Decologero, et.al., Cr. No. 01-10373-RWZ). Motions in Limine were due to be filed on June 24, 2004. Replies are due on July 8, 2004. (The five defendants going to trial have filed in excess of forty motions now requiring responses by the government).

2. The defendant received repeated and extensive extensions of time to file his suppression motion. His motion was originally due to be filed on March 31, 2004. The extensions of time the defendant sought and received resulted in the due date for the government's opposition falling during a time when the undersigned Assistant U.S. Attorney has severe demands in other cases (see paragraph one, above).

3. The government did not receive a complete copy of the defendant's motion until June 15, 2004.

4. The requested extension is for twelve days. (The defendant received extensions of approximately two-and-one-half months for the filing of his motion).

5. The defendant assents to the extension.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/CHRISTOPHER F. BATOR
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I, CHRISTOPHER F. BATOR, certify that I have served a copy of the above upon Leo T. Sorokin, Esq., Federal Defender Office, 408 Atlantic Avenue, 3rd Floor, Boston, MA 02110 by e-file notice.

/s/CHRISTOPHER F. BATOR
Assistant U.S. Attorney

Date: June 25, 2004

